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FM AMEMBASSY HANOI
TO RUEHC/SECSTATE WASHDC PRIORITY 9616
RUCPDO/DEPT OF COMMERCE WASHINGTON DC
INFO RUEHHM/AMCONSUL HO CHI MINH 5843
RUCNASE/ASEAN MEMBER COLLECTIVE

UNCLAS HANOI 000438

SIPDIS

STATE FOR EAP/MLS MBROWN
COMMERCE FOR COMMERCE FOR SECRETARY LOCKE
COMMERCE FOR ACTING U/S ONEILL
4430/MAC/AP/OPB/VLC/JBENDER
USTR FOR DBISBEE, RMALMROSE AND ESHEA

E.O. 12958: N/A

TAGS: [EIND](#) [ECON](#) [ETRD](#) [VM](#)

SUBJECT: VIETNAM TRADE MINISTER'S LETTER TO USTR KIRK

[1](#)1. On May 08, 2009, Embassy Hanoi received a letter from Minister Vu Huy Hoang, of the Vietnam Ministry of Industry and Trade, regarding the anti-dumping and countervailing duty investigation against polyethylene retail carrier bags imported from Vietnam.

[1](#)2. The Ministry of Industry and Trade translated the original text of the letter from Vietnamese.

[1](#)3. BEGIN TEXT OF LETTER:

Hanoi, 06 May 2009

To: H.E. Ambassador Ron Kirk
United States Trade Representatives

Your Excellency,

On behalf of the Ministry of Industry and Trade of the Socialist Republic of Vietnam (MOIT), I would like to present my compliments to you and at the same time express our deep concerns about DOC decision to take the initiative in a countervailing duty investigation against polyethylene retail carrier bags imported from Vietnam.

In the consultation on 15th April, 2009, the MOIT delegation led by Deputy Minister Le Danh Vinh has clarified the issues related to the petition. In this letter, I would like to emphasize important issues as follows:

It has been 7 years since DOC last studied Vietnam's economy. In the absence of any recent, comprehensive analysis of Vietnam's economy, MOIT requests DOC remaining in its traditional position in non-application of countervailing duty law to "non-market economies", not to apply the countervailing duty law to Vietnam as long as Vietnam is still officially designated by DOC as a "non-market economy." In all cases, Vietnam should be treated fairly and properly in a non-discriminatory way as any other developing countries at the low level of development

Moreover, the DOC decision to take the initiative in the CVD case investigation not only creates worries and losses for Vietnamese exporters and related US importers, but also could make dangerous precedent for encouraging similar lawsuits to goods imported from Vietnam and negative impacts on trade relation between two countries.

Once again, MOIT expresses our deep concerns about DOC decision and its serious consequences in this CVD case and kindly request you to have necessary directions to ensure the fair behavior to Vietnam, simultaneously avoid worries and losses that mentioned above.

Regards,
Vu Huy Hoang
Minister
Ministry of Industry and Trade
Socialist Republic of Vietnam

END TEXT OF LETTER

MICHALAK